IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Grason	Examiner:	Tran, Nghi
Serial No.:	09/985,867	Group Art Unit:	2151
Filed:	November 6, 2001	Docket No.:	20009.0111US01/01111
Title:	SYSTEM AND METHOD FOR DISTRIBUTING NEWS ARTICLES AND OTHER INFORMATION IN AN ORGANIZATION		

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

    This Reply Brief is being filed in response to an Examiner's Answer mailed January 15, 2008. Reconsideration and allowance of the application is respectfully requested for at least the following reasons.

Table of Contents

Status of the Claims

Claims 1, 2, 5-12, 15-18, 22-31, 34-37 and 40-44 are currently pending and have been rejected in the Final Office Action mailed December 5, 2006. Claims 3, 4, 13, 14, 19-21, 32, 33, 38, 39, 45, and 46 were cancelled in previous responses without prejudice or disclaimer. Independent claims 1, 8, 15, 22, 29, 35 and 42 and their dependents 2, 5-7, 9-12, 16-18, 23-28, 30, 31, 34, 36, 37, 40, 41, 43, and 44 are presently under appeal herein below.

Grounds of Rejection to be Reviewed On Appeal

Whether independent claims 1, 8, 15, 22, 29, 34, and 42 are unpatentable under U.S.C. 35 §103(a) over *Parks* (U.S. Patent 6,596,031, hereinafter "Parks") in view of Dave (Scripting News 2.0b1, hereinafter "Dave").

Argument

The Examiner's Answer provides a re-statement of the previous rejections. It is in section 10 where the Answer deals directly with Applicants' arguments of the Appeal Brief. In section 10(II), the Answer makes two points that Applicants hereby contest. First, the Answer equates the RSS file of Dave to the RSS file of the claims. Second, the Answer equates the rendering of the news story data format by a parser in Parks as the rendering or view file of the claims. As stated below in points 1) and 2), Applicants dispute that these are valid assertions and further assert that the claims are allowable over the cited combination of references.

In section 10(III), the Answer makes another point that Applicants hereby contest. The Answer states that channel syndication in Dave meets the claim recitations about rendering the news story and further states that it is inherent that a reader is not directed to a vendor web site in Dave because the format channel link can link to more than one other page from a bit of text. As stated below in point 3), Applicant disputes that Dave discloses rendering a reader selected news story and also disputes that such inherency exists in Dave. Applicants further assert that the stated claims in point 3) are allowable over the cited combination of references for those additional reasons.

1.   The RSS file of Dave does not meet all of the claimed criteria for an RSS file

Applicants' continue to respectfully disagree that Dave discloses an RSS file as claimed. A direct quote from Applicants' Appeal Brief:

> There is no disclosure in Dave of the RSS file containing a directory listing of rendering files (or view files), where such files are those which contain instructions for rendering a news story data file. To the contrary, the RSS links of Dave are merely links to content files themselves, not to rendering files (or view files).

The Examiner's Answer does not address this argument that the Applicants have made. The Answer merely states that the RSS file of Dave is the RSS file as claimed. Applicants continue to dispute that. Nothing in Dave states that the RSS file being disclosed contains a directory listing of rendering or view files. Dave does not even

disclose rendering or view files as recited in the claim, and the RSS files of Dave do not include such directory listings of rendering or view files. There is no reason to conclude that an RSS file of Dave has anything other than news story content and perhaps a URL to the underlying news story web page itself as in the case of a conventional RSS file. The Answer simply does not address this issue of what Applicants contend is missing from the RSS file of Dave, and Applicants contend that the RSS file of Dave is not a match to the RSS file as claimed for at least these reasons.

As it has been conceded that Parks fails to disclose such RSS files as claimed, and because Dave also fails to disclose such RSS files as claimed, then the combination of Parks and Dave fails to render at least independent claims 1, 8, 15, 22, 29, 35, and 42 as unpatentable.

2.   The Parser Function of Parks is not a Rendering or View file

The Examiner's Answer states that Parks discloses a rendering or view file by disclosing the rendering of the news story document format by the parser 224, as set forth in column 8, lines 3-29 of Parks. Applicants respectfully disagree.

The parser 224 has a very well defined function in Parks. As stated at column 7, line 60, parts of a news story production system may verify (or parse) an NSML document to validate the structure of the NSML document. The parser 224 is said to receive as input an output stream from a lexical analyzer 221 where that output stream includes tokens and text based on elements and identifiers of the input file. These elements and identifiers have been found by the lexical analyzer operating on the input file, which apparently is the NSML document that is the news story file. The parser 224 includes a syntactic analyzer 222 and a semantic analyzer 223. The parser 224 checks usage of elements and identifiers within the NSML document according to the document type definition 226. The parser 224 may correct the news story document format such as by replacing omitted tags and identifiers or by filling in tags with default values. (see col. 8, lines 13-15).

This parser 224 is merely a format check and correction tool. It takes as input the news story document information of a given format, checks the format, corrects it, and

6

outputs the verified news story document information. There is no disclosure that this parser 224 has anything to do with controlling how a news story data file is rendered. To the contrary, the parser 224 merely ensures that the news story data file has an appropriate format so that the news story data file may be properly read from and displayed by a viewing tool such as a browser. There is a very significant difference between verifying the format of a file to be displayed as done by the parser 224 of Parks and indicating how a data file is to be displayed as done by the rendering or view file of the claims.

Thus, the combination of Parks in view of Dave fails to render at least independent claims 1, 8, 15, 22, 29, 35, and 42 as unpatentable for at least these reasons.

3. **Parks in view of Dave fails to disclose rendering a reader selected news story from a subscriber website without being transferred to a news vendor web site**

Applicants note that claims 1, 8, and 42 are allowable over the cited combination of Parks and Dave for the various reasons discussed above. However, Applicants further assert that claims 1, 8, and 42 are allowable for this additional reason as well regarding rendering a news story from a subscriber website without being transferred to a news vendor web site.

Applicants dispute that the scripting news page such as that shown on page 2 of Dave can be equated to the rendering of a news story data file that has been selected by the reader as is recited in the claims 1, 8, and 42. Reading Dave in the light most favorable to the Examiner's position so that one considers the individual texts of the scripting news page on page 2 as being news stories provided without visiting the news vendor web sites, one must still acknowledge that these items of the scripting news page have not been presented as a result of selection of a news story by the reader. To the contrary, these news story blurbs of the scripting news page on page 2 are provided for purposes of receiving a selection by the reader so that the full news story or related information may thereafter be displayed.

The news scripting of Dave provides a news page as shown at page 2 which keeps up to date stories from various news channels and includes links to the full news stories. Thus, the scripting news page merely offers stories to the user to be selected. The user may select the link associated with the story to see the full story or associated information. This selection of the link will take the user to the URL of the news story, which is the news vendor web site just like conventional RSS merely providing URL links to news stories (see page 3 of Dave, Differences between <scripting news> and RSS, <items>...Each link contains <url>....).

The channel syndication provided on the news page like that shown on page 2 is not providing news data stories to the reader that have been selected by the reader from a list for viewing. To the contrary, this news page is merely offering a list of news stories for this syndication channel that the reader may then select to obtain the full story or related information. Upon selecting the link, the reader is guided to the url of the item that has been selected. This url would be the news vendor website, considering Dave provides no other explanation for what the url would point to, and the url of the selected link taking the reader to the news vendor website to see the full news story is contrary to the recitations of claims 1, 8, and 42.

Thus, because Parks and Dave both fail to disclose these recitations, the combination of Parks and Dave fails to meet all of the claim recitations of claims 1, 8, and 42 for at least these additional and independent reasons.

Conclusion

As discussed above, the Examiner's Answer has failed to establish that each and every claim element has been described by the current set of references. As such, a prima facie case of obviousness has not been established

Therefore, since a prima facie case of obviousness has not been established, independent claims 1, 8, 15, 22, 29, 35, 42 and their respective dependent claims are allowable over the combination of Park and Dave for at least these reasons.

8

No fees are believed due beyond the fee for this Reply Brief. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

March 11, 2008

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